

# PATENT COOPERATION TREAT: PTO 19 JAN 2005

# **PCT**

## INTERNATIONAL PRELIMINARY REPORT ON PATENTA

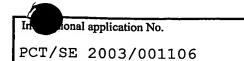
(Chapter II of the Patent Cooperation Treaty)

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(PCT Article 36 and Rule 70)

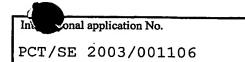
	CONTRIBUTION ACCUSES A ST	COTATO A 141 C			
Case: 4161 PCT	FOR FURTHER ACTION See Form PCT/IPEA/416				
	nternational filing date (day/month/year)	Priority date (day/month/year)			
PCT/SE 2003/001106 2	6.06.2003	25.07.2002			
International Patent Classification (IPC) or na					
A61C 8/00, A61L 27/54					
,					
Applicant					
Nobel Biocare AB (publ)	et al				
	ninary examination report, established by this mitted to the applicant according to Article				
2. This REPORT consists of a total of	4 sheets, including this cover	sheet.			
3. This report is also accompanied by A	ANNEXES, comprising:				
a. (sent to the applicant and	d to the International Bureau) a total of	sheets, as follows:			
and/or sheets cor	sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).				
sheets which sup	persede earlier sheets, but which this Author	ity considers contain an amendment that goes I, as indicated in item 4 of Box No. I and the			
Supplemental Bo					
b. (sent to the International	al Bureau only) a total of (indicate type and r	number of electronic carrier(s))			
		and/or tables related thereto, in computer			
readable form only, as in Administrative Instruction	ndicated in the Supplemental Box Relating toons).	o Sequence Listing (see Section 802 of the			
4. This report contains indications relati	ting to the following items:				
Box No. I Basis of th	ne report	•			
Box No. II Priority					
Box No. III Non-establ	lishment of opinion with regard to novelty,	inventive step and industrial applicability			
Box No. IV Lack of un	nity of invention				
	statement under Article 35(2) with regard to ity; citations and explanations supporting su				
Box No. VI Certain do	ocuments cited				
Box No. VII Certain de	efects in the international application				
Box No. VIII Certain observations on the international application					
Date of submission of the demand	Date of completion	of this report			
22.01.2004	11.05.2004	11.05.2004			
Name and mailing address of the IPEA/SE	Authorized officer	7			
Patent- och registreringsverket Box 5055		•			
S-102 42 STOCKHOLM	Jack Hedlu	ind/Els			
Facsimile No. +46 8 667 72 88 Telephone No. +46 8 782 25 00 Form PCT/IPEA/409 (cover sheet) (January 2004)					





Box	k No. I	Basis of the report
1.	otherw	egard to the language, this report is based on the international application in the language in which it was filed, unless ise indicated under this item.
	$\bowtie$	This report is based on a translation from the original language into the following language english, which is the language of a translation furnished for the purposes of:
		international search (under Rules 12.3 and 23.1(b))
		publication of the international application (under Rule 12.4)
		international preliminary examination (under Rules 55.2 and/or 55.3)
2.	furnisi	egard to the elements of the international application, this report is based on (replacement sheets which have bee ed to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed a not annexed to this report):
	$\boxtimes$	the international application as originally filed/furnished
		the description:
		pages as originally filed/furnished
		pages* received by this Authority on
		pages* received by this Authority on
		the claims:
		pages as originally filed/furnished
		pages* as amended (together with any statement) under Article 19 pages* received by this Authority on
		pages* received by this Authority on pages* received by this Authority on
		the drawings:
		nages*
		pages* received by this Authority on
		a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.
3.		The amendments have resulted in the cancellation of:
		the description, pages
		the claims, Nos.
		the drawings, sheets/figs
		the sequence listing (specify):
		any table(s) related to the sequence listing (specify):
4.		This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
		the description, pages
		the claims, Nos.
		the drawings, sheets/figs
		the sequence listing (specify):
		any table(s) related to the sequence listing (specify):
*	If item	applies, some or all of those sheets may be marked "superseded."





Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
The questions vapplicable have	whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially e not been examined in respect of:
the er	ntire international application
Claim	ns Nos. <u>7-9</u>
because:	
the sa	aid international application, or the said claims Nos. 7-9
relate	e to the following subject matter which does not require an international preliminary examination (specify):
See PC: animal methods	T Rule 67.1(iv): Methods for treatment of the human or body by surgery or therapy, as well as diagnostic s.
the de are so	escription, claims or drawings (indicate particular elements below) or said claims Nos.  o unclear that no meaningful opinion could be formed (specify):
	aims, or said claims Nos.  are so inadequately supported
<b></b>	ternational search report has been established for said claims Nos.
the nu	ucleotide and/or amino acid sequence listing does not comply with the standard provided for in Annex C of the inistrative Instructions in that:
the w	ritten form has not been furnished
	does not comply with the standard
the co	omputer readable form has not been furnished
	does not comply with the standard
the tal	ables related to the nucleotide and/or amino acid sequence listing, if in computer readable form only, do not comply with echnical requirements provided for in the Annex C-bis of the Administrative Instructions.
See S	Supplemental Box for further details.
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### INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

Interior application No.

PCT/SE 2003/001106

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement				pplicability;
1. Statement				
Novelty	(N)	Claims Claims	1-6, 10-14	YES NO
Inventiv	e step (IS)	Claims Claims	1-6, 10-14	YES NO
Industria	al applicability (IA)	Claims Claims	1-6, 10-14	YES NO

#### 2. Citations and explanations (Rule 70.7)

Cited documents:

- 1. WO 0072775 A1 (NOBEL BIOCARE AB (PUBL))
- 2. WO 0072776 A1 (NOBEL BIOCARE AB (PUBL))
- 3. WO 0072777 A1 (NOBEL BIOCARE AB (PUBL))

The documents cited in the International Search Report represent background art.

The invention defined in claims  $1\,-\,6\,$  and  $10\,-\,14\,$  is not disclosed by any of these documents.

None of the cited documents gives any indication towards the claimed arrangement for using osteoinductive or bioactive material to induce bone and/or increase the stability of implants in the jaw bone and an implant for this purpose. No relevant combination of the cited documents would lead a person skilled in the art to the invention defined in the claims.

Therefore, the invention defined in claims 1-6 and 10-14 is novel and is considered to involve an inventive step. It is also considered to be industrially applicable.